

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 MARIO BANDA-ALICEA,

5 Plaintiff,

6 vs.

7 CORRECTIONS CORPORATION OF
8 AMERICA, *et al.*,

9 Defendants.

Case No.: 2:14-cv-01437-GMN-VCF

ORDER AND
REPORT & RECOMMENDATION

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11 This matter involves Mario Banda-Alicea's civil rights action against Corrections Corporation of
12 America. (*See* Compl. #1). On December 30, 2014, the court ordered Banda-Alicea to furnish to the
13 U.S. Marshal within thirty days the required USM-285 forms with relevant information as to each
14 defendant on each form. (*See* Screening Order #3 at 7:1-7). On February 27, 2015, the U.S. Marshal
15 notified this court that Banda-Alicea failed to furnish the required USM-285 forms within thirty days.
16 (*See* Doc. #11). To date, no service has been rendered.

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18 Federal Rule of Civil Procedure 4 provides, in part, that "[i]f a defendant is not served within
19 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—
20 must dismiss the action without prejudice against that defendant or order that service be made within a
21 specified time." FED. R. CIV. P. 4(m). The deadline has now expired.

22 ACCORDINGLY, and for good cause shown,

23 IT IS ORDERED that Banda-Alicea has until July 14, 2015 to furnish U.S. Marshal the required
24 USM-285 forms with relevant information as to each Defendant on each form.
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1 IT IS FURTHER ORDERED that Banda-Alicea has until August 10, 2015 to complete service.

2 IT IS RECOMMENDED that if service is not completed by August 10, 2015, this action be
3 dismissed without prejudice.

4 IT IS SO ORDERED.

5 DATED this 15th day of June, 2015.

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8 CAM FERENBACH
9 UNITED STATES MAGISTRATE JUDGE
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